



**BURLINGTON  
NORTHERN**

**FILE IN DOCKET**

RECORDATION NO. 4948-A Filed & Recorded

JUL 17 1970 450 PM

Burlington Northern Inc / 547 West Jackson Boulevard / Chicago, INTERSTATE COMMERCE COMMISSION

VIA REGISTERED MAIL

Mr. H. Neil Garson  
Secretary  
Interstate Commerce Commission  
Washington, D. C. 20423

72323  
JUL 17 1970  
\$ 10.00  
Washington, D. C.

July 13, 1970

Dear Sir:

Because of the merger of the former Chicago, Burlington & Quincy Railroad Company into Burlington Northern Inc., it has become necessary to enter into Assumption Agreements whereby the merged company, Burlington Northern Inc., assumes all of the rights and obligations of the former Chicago, Burlington & Quincy Railroad Company under various Conditional Sale Agreements, in which said Chicago, Burlington & Quincy Railroad Company was named as Buyer or Guarantor.

Accordingly, one executed copy of an Assumption Agreement pertaining to the Conditional Sale Agreement or Agreements listed and described on Exhibit A, attached hereto and by this reference made a part hereof, is hereby submitted for recordation, pursuant to Section 20c of the Interstate Commerce Act, and the rules and regulations of the Commission pursuant thereto, along with two certified copies for each Conditional Sale Agreement so listed. In order to reduce the number of original executed copies required, it is requested that you show all the recording data on the single original document, even if there is more than one Conditional Sale Agreement involved. If this cannot be done, please return all copies with instructions.

The Assumption Agreement is between Chicago, Burlington & Quincy Railroad Company and the bank named on Exhibit A, as Assignee of the original Conditional Sale Agreement.

The equipment covered by the Assumption Agreement is more fully described in the Conditional Sale Agreements being assumed, and in the previous letters submitting the said Conditional Sale Agreement or Agreements to the Interstate Commerce Commission for recording.

Pursuant to Section 57.3(d) of the Regulations, a check is enclosed in a sum amounting to \$10.00 for each Conditional Sale Agreement covered by such Assumption Agreement. It will be appreciated if the original document is returned to R. E. Skov, Associate General Counsel of this company, at 547 West Jackson Boulevard, Chicago, Illinois, 60606.

Yours very truly,

*R. E. Skov*

Vice President

RECEIVED  
JUL 17 4 38 PM '70  
I.C.C.  
FEE OPERATION BR.

CONDITIONAL SALE AGREEMENTS

(Chicago, Burlington &amp; Quincy Railroad Company, Buyer)

Conditional Sale  
AgreementSeller-AssignorAssigneeICC  
Recordation  
Number & Date

1.

7-15-1968

Burlington Equipment Company

Mercantile Trust Company  
National Association4948  
7-12-1968

ed

# Interstate Commerce Commission

OFFICE OF THE SECRETARY

Washington, D.C. 20423

July 18, 1970

Mr. R. E. Skov,  
Associate General Counsel  
547 West Jackson Blvd.  
Chicago, Illinois 60606

Dear Sir:

The enclosed document was recorded pursuant to the  
provisions of Section 20c of the Interstate Commerce Act,  
49 U.S.C. 20c, on July 17, 1970 at 4:50 P.M.  
and assigned recordation number 4948-A .

Sincerely yours,



H. Neil Garson  
Secretary

Encl.

SED Form 30  
(1966)

RECORDATION NO. 4948-A Filed & Recorded

JUL 17 1970 -4 50 PM

CERTIFICATE INTERSTATE COMMERCE COMMISSION

I, P. E. Hess, a Notary Public in and for the State of Illinois, County of Cook, hereby certify that I have compared the attached copy of the Assumption Agreement, dated as of July 6, 1970, with an original copy of said document and that it is a true and correct copy in all respects.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my notarial seal as of this 15th day of July, 1970.

  
\_\_\_\_\_  
Notary Public

My commission expires April 15, 1971

## ASSUMPTION AGREEMENT

By Conditional Sale Agreements, and Agreements and Assignments to which Chicago, Burlington & Quincy Railroad Company was a party, as itemized in Exhibit "A" hereto attached and by this reference made a part hereof, Chicago, Burlington & Quincy Railroad Company acquired the possession and use of and will acquire title to the railroad equipment described in each of said Conditional Sale Agreements.

Burlington Northern Inc., a Delaware corporation, the company resulting from the merger and consolidation of Northern Pacific Railway Company, Great Northern Railway Company, Chicago, Burlington & Quincy Railroad Company and Pacific Coast R.R. Co., authorized and approved by the Interstate Commerce Commission in its decision dated November 30, 1967, Finance Docket No. 21478 (331 I.C.C. 228), acquired as of March 2, 1970, all of the lines of railroad and properties and interests of every name and nature of each of said railway companies, including all right, title and interest of Chicago, Burlington & Quincy Railroad Company in and to said agreements itemized in said Exhibit "A", as well as the railroad equipment described therein and covered thereby, and in consideration thereof, Burlington Northern Inc., hereby assumes and agrees to make all the payments required to be made by Chicago, Burlington & Quincy Railroad Company remaining due thereunder from and after March 2, 1970, and further agrees to be bound by and keep and perform each and all of the obligations and covenants of Chicago, Burlington & Quincy Railroad Company agreed by it to be bound and by it agreed to be kept and performed under and pursuant to said Conditional Sale Agreements as assigned by said Agreements and Assignments to which it is a party and as each of said agreements may have been heretofore modified, supplemented and amended from time to time.

IN WITNESS WHEREOF, BURLINGTON NORTHERN INC., pursuant to due corporate authority, has caused these presents to be signed in its corporate name by its duly authorized officers and its corporate seal to be hereunto affixed and duly attested, this 6th day of July, 1970.

BURLINGTON NORTHERN INC.

ATTEST:

*J. C. [Signature]*  
Assistant Secretary

By *J. A. Tauer*  
Vice President

(SEAL)

STATE OF MINNESOTA    )  
                                  ) ss.  
COUNTY OF RAMSEY    )

On this 6th day of July, 1970, before me personally appeared J. A. TAUER, to me personally known, who, being by me duly sworn, says that he is a Vice President of BURLINGTON NORTHERN INC., that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

J. H. MCCARTHY *J. H. McCarthy*  
Notary Public, Ramsey County, Minn.

CONDITIONAL SALE AGREEMENTS

(Chicago, Burlington &amp; Quincy Railroad Company, Buyer)

<u>Conditional Sale Agreement</u>	<u>Seller-Assignor</u>	<u>Assignee</u>	<u>ICC Recordation Number &amp; Date</u>
7-15-1968	Burlington Equipment Company	Mercantile Trust Company National Association	4948 7-12-1968